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ABSTRACT

Public Services – A.P. Forest Department - Allegation of corruption - Demand and acceptance of bribe against Smt. Balasani Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru Beat, In-charge Cheemalapadu Beat, A. Konduru Section of Mylavaram Range, Krishna District - Trapped on 07.02.2021 - Sanction of Prosecution under Prevention of Corruption Act, 1988 – Accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.63 **Dated:11.09.2023**

ORDER:

1. **WHEREAS**, Smt. Balasani Kanaka Sesha Kumari, worked as Forest Beat Officer, A. Konduru Beat, In-charge Cheemalapadu Beat, A. Konduru Section of Mylavaram Range, Krishna District from 31.07.2018 to 07.02.2021 and by virtue of the post held by her, she falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Central Act No.16 of 2018).

2. **AND WHEREAS**, Sri Jarabala Yesu Naik, S/o Balaiah, aged 50 years, Rudravaram Village, Reddygudem Mandal, Krishna District is living by doing cultivation. He belongs to Sugali by caste and belongs to Scheduled Tribe. Along with him his brother-in-law Dharavath Ranga, S/o Dheviji, aged 55 Years, who belongs to his village living by doing cultivation. Sri Jarabala Yesu Naik and his brother-in-law cultivated 2 Acres each of forest land consisting of mango trees in the Cheemalapadu Forest area. As the Government facilitated the Recognition of Forest Rights (RoFR) Act, 2006, in June of 2020 Sri Jarabala Yesu Naik and his brother-in-law applied for Forest lands to the Tahsildar, A. Konduru, as the Tahsildar informed them to apply for Forest lands in village meetings. Sri Jarabala Yesu Naik along with other villagers applied for Forest land in the name of himself, his wife Kamala, and his brother-in-law's wife Dharavath Sukiya, W/o Ranga. At that time the Forest Beat Officer of A. Konduru and In-charge Cheemalapadu Beat area namely Smt. B. Kanaka Sesha Kumari also attended to the meeting. The Tahsildar, A. Konduru (M) also instructed the Forest Beat Officer Smt. B. Kanaka Sesha Kumari to record the Geo Co-Ordinates (Latitude-Longitude) of the forest lands cultivated by Sri Jarabala Yesu Naik and his brother-in-law and send the report to officials for getting

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RoFR Patta. The Forest Beat Officer, Smt. B. Kanaka Sesha Kumari has to change the lands online by taking Geo Co-Ordinates (Latitude-Longitude) of the forest lands. Sri Jarabala Yesu Naik along with his brother-in-law is approaching the Forest Beat Officer Smt. B. Kanaka Sesha Kumari and requesting her to attend to their work, but she is dragging the time without completing their work. On 01.02.2021 evening at about 6.30 PM, Sri Jarabala Yesu Naik and his brother-in-law Sri Dharavath Ranga went to the house of Forest Beat Officer Smt. B. Kanaka Sesha Kumari and requested her to take Geo Co-Ordinates (Latitude-Longitude) of the forest lands and to keep their names online under the RoFR scheme, then Smt. B. Kanaka Sesha Kumari demanded Rs.1,00,000/- as a bribe, Sri J. Sudhakar who is the husband of Smt. B. Kanaka Sesha Kumari is also present there and he also demanded the same. Then Sri Jarabala Yesu Naik and his brother-in-law informed her that they are not able to give the said amount. Inspite of his pleadings, Smt. B. Kanaka Sesha Kumari and Sri J. Sudhakar did not show any courtesy and demanded to give Rs.50,000/-as partial payment out of a total bribe amount of Rs.1,00,000/-. Then Sri J. Yesu Naik and his brother-in-law replied that they are not having money at present, they would give within 2 or 3 days. Then Smt. B. Kanaka Sesha Kumari and Sri J. Sudhakar instructed Sri Jarabala Yesu Naik and his brother-in-law to bring the bribe amount of Rs.50,000/- on Sunday to their house. Smt. B. Kanaka Sesha Kumari also threatened Sri Jarabala Yesu Naik that unless the said bribe amount of Rs.50,000/- is paid, the work of the Geo Co-Ordinates (Latitude-Longitude) of the forest lands would not be completed. Sri Jarabala Yesu Naik and his brother-in-law are not interested to give the bribe amount of Rs.50,000/- to Smt. B. Kanaka Sesha Kumari and Sri J. Sudhakar for processing their work, Sri Jarabala Yesu Naik gave a written complaint to DSP, ACB, Krishna District, Vijayawada Range, Vijayawada on 06.02.2021 at 14.00 hrs and requested to take necessary action against Smt. B. Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru, In-charge Cheemalapadu Beat, A. Konduru Mandal, and her husband Sri J. Sudhakar. Sri Jarabala Yesu Naik recorded in his mobile phone the aforesaid conversation that took place between them and Sri B. Kanaka Sesha Kumari, Forest Beat Officer and her husband Sri J. Sudhakar on 01.02.2021 and got transferred the same in a memory card and the same was submitted along with his report.

3. **AND WHEREAS**, after following due procedure, the DSP, ACB, Krishna, Vijayawada Range, Vijayawada registered the complaint of Sri Jarabala Yesu Naik as a Case in Cr.No.01/RCT-VJA/2021 U/Sec. 7 (a) & 12 of the Prevention of Corruption (Amendment) Act, 2018 on 07.02.2021 at about 07.15 hours and submitted the original FIR to the concerned and made arrangements for laying a trap.

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4. **AND WHEREAS**, after completion of the Pre-Trap Proceedings, the trap party proceeded towards the house of Smt. B. Kanaka Sesha Kumari and her husband situated on the 2nd floor of D.No.1-128/A, A. Konduru (V) & (M), Krishna District, on 07.02.2021 at about 13.30 hrs, where Smt. B. Kanaka Sesha Kumari and her husband Sri J. Sudhakar were successfully trapped when they further demanded and accepted a bribe amount of Rs.50,000/- (Rupees Fifty Thousand only) from Sri Jarabala Yesu Naik to take Geo Co-Ordinates (Latitude-Longitude) of the forest lands and to keep the names of Sri Jarabala Yesu Naik and his brother-in-law in online under the RoFR scheme. On 07.02.2021 when Sri Jarabala Yesu Naik went into the house of Smt. B. Kanaka Sesha Kumari, situated at Yadava Bazar, A. Konduru village and Mandal, Smt. B. Kanaka Sesha Kumari was found sitting in a chair in the main hall of the house and Sri Jagannadham Sudhakar husband of Smt. B. Kanaka Sesha Kumari was also found sitting in another chair by the side of Smt. B. Kanaka Sesha Kumari. On seeing Sri Jarabala Yesu Naik, Smt. B. Kanaka Sesha Kumari asked Sri Jarabala Yesu Naik whether he brought the bribe amount or not and when he replied affirmatively, Smt. B. Kanaka Sesha Kumari asked Sri Jarabala Yesu Naik to pay the bribe amount of Rs.50,000/-. On that Sri Jarabala Yesu Naik paid Rs.50,000/- to Smt. B. Kanaka Sesha Kumari who received the bribe amount with her right hand and gave the same to her husband Sri Jagannadham Sudhakar to count the amount. Sri Jagannadham Sudhakar counted the amount using his both hands and confirmed that the amount is Rs.50,000/- and again gave the said amount to Smt. B. Kanaka Sesha Kumari who received with her right hand and kept the same under the mattress of the cot which is on the right side of her chair. When the sodium carbonate solution test conducted on both hand fingers of Smt. B. Kanaka Sesha Kumari, the right hand fingers solution yielded positive result and when both the hand fingers of Sri Jagannadham Sudhakar when tested in sodium carbonate solution both the solutions turned into pink colour. When the DSP asked Smt. Balasani Kanaka Sesha Kumari to produce the amount that was received from Sri Jarabala Yesu Naik, Smt. Balasani Kanaka Sesha Kumari produced a wad of tainted currency notes by taking them out from under the mattress of the Diwan cot which is situated on the right side of her chair, the DSP seized the above amount. On the instructions of the DSP, HC 222 Md. Suleman conducted chemical test on the inner part of the mattresses with cotton swab from where Smt. B. Kanaka Sesha Kumari picked up the tainted amount and when the cotton swab dipped into sodium carbonate solution, the solution turned into pink colour. When the DSP asked Smt. Balasani Kanaka Sesha Kumari about the file pertaining to Sri Jarabala Yesu Naik, Smt. Balasani Kanaka Sesha Kumari produced a list of 48 applicants (two pages) with the signature of Sri Bhukya Ganya, Chairman, Forest Rights Committee and the names of Sri Jarabala Yesu

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Naik, S/o Balaiah, Aadhar No.2470 2499 8316, caste - ST was mentioned as S.No.6 which shows that the official favour is pending with Smt. Balasani Kanaka Sesha Kumari by the date of Trap.

5. **AND WHEREAS**, the above said acts of Smt. Balasani Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru Beat Area, In-charge Cheemalapadu Beat Area of A. Konduru Mandal, Krishna district constitute offences punishable under section 7(a) of Prevention of Corruption (Amendment) Act, 2018.

6. **AND WHEREAS**, the Government of Andhra Pradesh being the competent authority to remove Smt. Balasani Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru Beat Area, In-charge Cheemalapadu Beat Area of A. Konduru Mandal, Krishna District from service after fully and carefully examining the material (i.e., F.I.R., Mediator Reports I & II, and final investigation report of the Director General, ACB, AP, Vijayawada, etc.,) placed before the Government in respect of the said allegations and having regard to the facts and the circumstances of the case consider that Smt. Balasani Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru Beat Area, In-charge Cheemalapadu Beat Area of A. Konduru (M), Krishna District should be prosecuted in a Court of Law.

7. **NOW THEREFORE**, in the exercise of the powers conferred under Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption (Amendment) Act, 1988, the Government of Andhra Pradesh hereby accord sanction for the Prosecution of Smt. Balasani Kanaka Sesha Kumari, Forest Beat Officer, A. Konduru Beat Area, In-charge Cheemalapadu Beat Area of A. Konduru Mandal, Krishna district for the above-said offences punishable under Section 7 (a) of Prevention of Corruption (Amendment) Act, 2018 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.